

In an effort to protect the interests of the entertainment industry, this proposed rule would prohibit innovation. For example, it is possible to process weak signals, where some of the digital information is lost in noise, to make the information (picture and sound) clearer by removing abrupt features that seem out of character with the rest of the transmission. For example speckles in a picture.

Further, it would seem that such a sweeping restriction could not be accomplished simply by the rulemaking process. It would appear that 47 U.S.C. 336(b)(4) allows rules to improve the quality of the signal, and as I have explained, the proposed rule would have the contrary effect. 47 U.S.C. 336(b)(5) grants FCC authority to regulate for the protection of public interest. The entire population should be taken into consideration. No matter how loudly the entertainment industry shouts, they are a very small minority of the population, and their needs cannot be given priority over the general population, whose interests would be poorly served by this proposed rule.

In short, it is a bad rule which will have negative consequences for the general population because it will make illegal some fair-use activities currently held as legal. However, my greatest concern is that it will certainly restrict innovation, which is sure to cause even more serious unforeseen negative consequences in the future.

Make wise laws and rules that stand the test of time, not poorly considered ones that favor a noisy minority at the expense of the majority.